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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re United States Patent of:****Patentee: Michael MEZEI et al.****Patent No.: 4,937,078****Date Issued: June 26, 1990****Title: LIPOSOMAL LOCAL
ANESTHETIC AND
ANALGESIC PRODUCTS****Docket No.: 4237-103****Examiner: Not Defined****Art Group: 1502****Confirmation No.: 3802****FACSIMILE TRANSMISSION CERTIFICATE****ATTN: Office of Petitions (Unit 4700)****Fax No. (703) 872-9306**

I hereby certify that this document is being filed in the United States Patent and Trademark Office, via facsimile transmission to Mail Stop Petition, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on October 7, 2004, to United States Patent and Trademark Office facsimile transmission number (703) 872-9306.

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Number of Pages (including cover)


Yongzhi Yang

October 7, 2004

Date

STATUS INQUIRY FOR U.S. PATENT NO. 4,937,078

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

We have recently ordered a copy of the file history of U.S. Patent No. 4,937,078 through the File History Data Center of MicroPatent LLC, but were informed that the file of this U.S. patent was

transferred to the Office of Petition on August 2, 2004 due to recent filing of a petition on July 7, 2004, and that the file history of this patent, including the newly filed petition, is currently not available to the public.

37 C.F.R. §1.11 specifically provides that "all paper relating to the file of... a patent... are open to inspection by the public."

We therefore request the Office to advise us on the current status of this patent and the availability of the file history of this patent for public inspection, consistent with the provisions of 37 C.F.R. §1.11.

Since this patent is the subject of a pending litigation, your prompt advice in this matter will be appreciated.

Please send any information concerning this communication to the undersigned attorney by fax at (919) 419-9350 or by mail at P.O. Box 14329, Research Triangle Park, NC 27709.

Respectfully submitted,



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